

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

PAUL J. McNALLY, as he is TRUSTEE,  
MASSACHUSETTS LABORERS' HEALTH AND  
WELFARE FUND and NEW ENGLAND LABORERS'  
TRAINING TRUST FUND; JAMES MERLONI, JR.,  
as he is TRUSTEE, MASSACHUSETTS LABORERS'  
PENSION FUND and MASSACHUSETTS LEGAL  
SERVICES FUND; MARTIN F. WALSH, as he is  
TRUSTEE, MASSACHUSETTS LABORERS'  
ANNUITY FUND,

Plaintiffs

vs.

AG ASBESTOS, INC.,

Defendant

and

FLEET SMALL BUSINESS SERVICES,

Trustee

C.A. No. 04-12639 RWZ

**DEFAULT JUDGMENT**

Defendant AG Asbestos, Inc., having failed to plead or otherwise defend in this action and its default having been entered,

Now upon application of plaintiffs and affidavits and a memorandum of law demonstrating that defendant owes plaintiffs the sum of \$143,596.95 in unpaid benefit fund contributions for the period October, 2003 through October, 2004; \$300.87 in underpayments and interest on late paid contributions; \$10,764.80 in prejudgment interest if these contributions were paid by January 31, 2005; \$28,719.39 in liquidated damages; \$2,382.49 in attorney's fees

and costs; and that defendant is not an infant or incompetent person or in the military service of the United States, it is hereby

ORDERED AND ADJUDGED AND DECREED that plaintiffs recover from Defendant AG Asbestos, Inc., the principal amount of \$143,596.95; \$300.87 in underpayments and interest on late paid contributions, prejudgment interest of \$10,764.80; liquidated damages of \$28,719.39, attorneys' fees and costs of \$2,382.49, for a total judgment of \$185,764.50, with interest as provided by law, which interest rate effective this date is \_\_\_\_\_ percent. Further, this judgment is without prejudice to any claims plaintiffs might have against defendant for additional, as yet unliquidated, contributions due after October, 2004.

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The Honorable Rya W. Zobel  
United States District Judge

Dated: \_\_\_\_\_